

In the Drawings

The drawings were objected to for various reasons. Enclosed are eighteen (18) sheets of formal drawings to replace the informal drawings filed with the subject application.

REMARKS

Claims 1 – 32 were in the application as filed. Applicants have amended Claims 1, 4, 5, 7, 8, 9, 10, 11, 15, 21, 23, 24, 25, 26, 27 and 29; have cancelled Claims 12, 13, 14, 16, 19, 20, 22, and 28; and have added Claims 33 and 34. Thus, Claims 1 – 11, 15, 17 – 18, 21, 23 – 27 and 29 – 34 are pending in the application and presented for consideration.

In the above-noted Office Action, original Claims 1 – 5, 7 – 9, 19, 21 and 29 – 30 were rejected for being anticipated by USPNNo. 2,276,297 to Flood (hereinafter Flood) and by USPNNo. 6,171,439 to Groeneweg (hereinafter Groeneweg). In addition, certain dependent claims were rejected for being obvious over either Flood or Groeneweg in further view of USPNNo. 5,011,561 to Carolous et al, USPNNo. 3,793,123 to Aronson, US Application No. 2002/0131847 to Parker (now USPNNo. 6,599,074). Although certain claims have been amended and cancelled, these rejections are believed to remain pertinent.

Amended Claim 1 is directed to a binder strip cassette which includes, among other things a binder strip roll which includes a multiplicity of binder strips disposed along the length of an elongated carrier. In one embodiment of the present invention, a layer of pressure sensitive adhesive is disposed intermediate the binder strip substrates and the elongated carrier, with the "layer of pressure sensitive adhesive being disposed along less than a total length of the each of the binder strip substrates". As noted in the subject application in connection with the description of Fig. 11A, in one embodiment of the binder strip cassette, regions Y and Z are preferably free of pressure sensitive adhesive. When a binder strip 42 is being ejected from the subject cassette, a binding machine receiving the strip can tend to pull the strip out of the cassette at a rate faster than the strip is being fed by the cassette. This action tends to pull the elongated carrier 40 at a rate faster than the carrier is being moved by the take up roller and can thus result in a malfunction.

In order to reduce the likelihood of this type of malfunction, pressure sensitive adhesive is preferably not present in region Z at the trailing end of the strip. Thus, when the binder strip is substantially ejected from the cassette, the

trailing end of the strip is free of the elongated carrier so that the carrier is not pulled by the strip as the strip continues to be ejected. Similarly, pressure sensitive adhesive can also be absent in region X to facilitate separating the binder strip 42 from the carrier just as the leading edge of the strip begins to be ejected from the cassette.

The above-described issues do not apply to the various dispensers cited in the subject Office Action. Accordingly, the various labels L being dispensed by the Flood apparatus appear to be fully adhered to the underlying backing strip B as shown in Fig. 4 of that reference. Similarly, there is nothing in Groeneweg to suggest that the stamps 12 (Fig. 5) are not fully adhered to the backing strip 14.

In view of the foregoing, it is believed that Amended Claim 1 is patentable over the cited prior art. Further, there is nothing in any of the cited art that suggest eliminating adhesive, particularly since such modification would probably result in increase production costs and would, more importantly, provide no needed benefit. Claim 1 is thus believed to be allowable as are Claims 2 – 11, 15, 17 and 18 all depend, wither directly or indirectly from allowable Claim 1 and add patentably significant limitations to the claim.

Amended Claim 21 is directed to another embodiment of the subject binder strip cassette. In this embodiment, " ... the binder strips of the binder strip roll are not adhered to the elongated carrier". Amended Claim 21 is thus very similar in scope to original dependent Claim 22 which the Examiner indicated would be allowable if rewritten to be in independent form. The only difference in scope is that the "separating apparatus" is no longer limited to being "disposed within the cassette housing".

In view of the foregoing, it is submitted that Amended Claim 21 is allowable as are claims 23 – 27 which depend from allowable Claim 21 and add patentably distinctive limitations to the claim.

Amended Claim 29 is directed to a further embodiment of the present invention. The binder strip cassette includes a "binder strip roll comprising layers of binder strips separated by layers of a flexible elongated carrier". A "guide

mechanism" is provided "to assist in guiding the unwound portion of the binder strip roll towards ... [a] separating apparatus" which functions to separate the binder strips from the carrier. The guide mechanism includes a "guide member which is movable with respect to the cassette housing and which engages the wound binder strip roll as the wound roll is depleted". This feature is neither disclosed or suggested by the cited prior art. For example, Groeneweg in Fig. 5 shows a "tension tab 66" having a "surface 30" which engages the unwound portion of the roll and possibly the wound portion but probably only if the roll completely fills the "roll holder 18". Clearly the surface 30 does not move as recited in Amended Claim 29 to allow the surface to contact the stamp roll as the roll is depleted. None of the other cited art shows or suggests this feature.

For the foregoing reasons, it is submitted that Claim 29 is allowable as are Claims 30 – 34 which depend, either directly or indirectly, from Claim 29 and add patentably significant limitations to the claim.

In conclusion, all pending claims are in condition for allowance and an early allowance is respectfully requested.

Respectfully submitted,

GIRARD & EQUITZ-LLP

Dated: 2/6/2006

By: 

Philip A. Girard
Reg. No. 28,848

Attorneys for Applicant(s)

Attorney Docket No. PRKR-4700